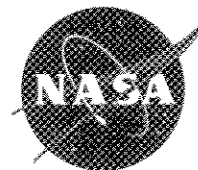


National Aeronautics and Space Administration
Headquarters
Washington, DC 20546-0001



December 14, 2010

Reply to Attn of: General Law Practice Group

TO: Distribution

FROM: Alternate Designated Agency Ethics Official

SUBJECT: Determination Regarding Attendance by NASA Employees at the Analytical Graphics, Inc. Reception on December 14, 2010

On December 14, 2010, Analytical Graphics, Inc. (AGI) will host a holiday reception at the Cosmos Club in Washington, D.C. from 6:30p.m.-9:30p.m.

The reception will be attended by representatives of the U.S. legislative branch, NASA and other Federal agencies, industry, state and local government officials, the media, and foreign governments. Over 1000 people have been invited and 350 are expected to attend. The estimated cost of the refreshments, which includes all food and beverages, is \$42 - \$45 per person. I find that the AGI reception meets the requirements of a "widely attended gathering" as defined in 5 C.F.R. § 2635.204(g).

I further determine that there is an Agency interest in having NASA personnel attend the event because it will further Agency programs or operations. Attendance at the reception will allow NASA representatives the opportunity to build relationships and improve lines of communications with other guests and to discuss NASA's programs and plans. Moreover, NASA employees whose duties do not substantially affect the event sponsors, including NASA employees in non-career positions who are required to sign the ethics pledge under Executive Order 13490, may accept an invitation for free attendance to the event for themselves and their invited spouses and guests.

However, NASA employees whose duties may substantially affect the event sponsors, such as by way of procurement duties, should seek an individual determination pursuant to 5 C.F.R. § 2635.205(g)(3)(i) regarding participation in this event from their local ethics counselor.

Attendees are reminded of the \$20 gift exception at 5 C.F.R. § 2635.204(a) which provides that employees may accept gifts valued at no more than \$20 per occasion. NASA invitees should not accept any gift items distributed at the event which exceed the \$20 cap.

Kathleen T. Spear

for Adam F. Greenstone